

Post-Registration Amendment

I. Amendment of Ownership

Applicant filed a TEAS RF application on October 29, 2015 under the following:

OWNER OF MARK	RTI International
STREET	3040 Cornwallis Rd.
CITY	Research Triangle Park
STATE	NORTH CAROLINA
ZIP CODE	27709
TYPE	CORPORATION
STATE OF INCORPORATION	NORTH CAROLINA

Applicant respectfully requests the owner name and legal entity type be amended to Research Triangle Institute and NON-PROFIT, respectively. Due to an inadvertent, good faith error, the Registrant was filed with a minor mistake in the manner the owner name and legal entity type was set forth.

Correct owner:

OWNER OF MARK	Research Triangle Institute
STREET	3040 Cornwallis Rd.
CITY	Research Triangle Park
STATE	NORTH CAROLINA
ZIP CODE	27709
TYPE	NON-PROFIT
STATE OF INCORPORATION	NORTH CAROLINA

This inadvertent error may be corrected by amendment as there is inconsistency in the original application as to the owner name and entity type, and the party mistakenly listed as the applicant did not exist at the time the application was filed. TMEP § 1201.02(c)(4) and (7).

Following the Trademark Manual for Examination Procedure, if the party that filed the application to register a mark is the owner of the mark but there is a mistake in the manner in which the name of the applicant was set forth in the application, the mistake may be corrected by amendment if it is a correctable error, and the application is not deemed void. TMEP § 1201.02(c). An amendment to correct a correctable mistake in the owner name need not be verified. *Id.* Correctable errors include inconsistency in the original application as to owner name and entity type. TMEP § 1201.02(c)(4).

The “entity” listed in the initial application, RTI International, is the reserved name Registrant uses during some of their business dealings. *See Exhibit A.* The Registrant has operated under the name Research Triangle Institute since 1958, and reserved the name RTI International for select business operations in 2002. *Id.* Due to internal, inadvertent errors made at the time of the original application, Registrant had accidentally used their public name in their application rather than their registered entity name.

If the applicant identifies itself by a name under which it does business, which is not a legal entity, then amendment to state the applicant’s correct legal name is permitted. Cf. *In re Atl. Blue Print Co.*, 19 USPQ2d 1078 (Comm'r Pats 1990) (finding that Post Registration staff erred in refusing to allow amendment of affidavit under 15 U.S.C. §1058 to show registrant’s corporate name rather than registrant’s trade name). As an application mistakenly filed using the trade name rather than the legal entity’s name, the error may be corrected, Applicant respectfully requests the owner name and entity type be amended to “Research Triangle Institute” a business incorporated in North Carolina as a Non-Profit.

II. Conclusion

Applicant respectfully requests the owner name of the Registration be amended.